

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

702-0055

STIPULATED AGREEMENT

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", the CSX Transportation, Inc. hereinafter referred to as the "Company", the Township of Casey in Clark County, hereinafter referred to as the "Township", and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through staff investigation that inquiry should be made into the matter of improving public safety at the crossing of the Company's track with a public highway known as Hickory Lane (TR-32A) located near Casey, Clark County, Illinois, designated as crossing DOT 546 363D, milepost 106.90A; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and all other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and Orders and procedures in general.

Section 2                The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

1. The Company should remove the existing automatic flashing light signals and install new automatic flashing light signals and gates, controlled by constant warning time circuitry;

Section 3                The Company has prepared a preliminary estimate of cost which is attached as Exhibit B, to accomplish the proposed improvements which it may be required to perform; The Company shall upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost, and any required specifications for the proposed improvements for the approval of the Commission and Department.

Section 4                The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be one hundred twenty (120) days, for the submission of progress reports should be six (6) months and for the completion of the proposed improvements should be twelve (12) months, from the date of Commission Order subsequent to this agreement.

Section 5                The parties hereto agree that an equitable division of cost for the proposed improvements should be:

- a)     The cost to install automatic flashing light signals and gates estimated at \$140,775, should be allocated whereby the Department utilizing federal funding under TEA-21, should pay 70% of the actual project cost (not to exceed \$98,543); the Grade Crossing Protection Fund (Fund) should bear 30% of said project cost (not to exceed \$42,232), with the Company bearing any remaining cost after payment from TEA-21 and the Fund, as well as all future operation and maintenance cost thereof;

Section 6                Special Provisions:     Since federal funding is being utilized for the warning device improvements at the subject crossing, all such work shall be covered by appropriate provisions of Title 23, Chapter I, Subchapter G, Part 646 of the Federal-Aid Policy Guide adopted Dec. 9, 1991.

Since the warning device improvement at the subject crossing will be performed by railroad crews, no flagging or contractor liability insurance will be required for said work.

The Company shall at six (6) month intervals from the date of Commission Order issued subsequent to this Agreement until the project is completed, file a written report with the Director of Processing and Information, Transportation Division of the

Commission, stating the status of expenditures of the project and the percentage of completion of the project. If the project is behind schedule the report must include a brief explanation of the reason(s) for the delay.

All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to Mr. Henry Cronister, Bureau of Local Roads and Streets, Main Office, Illinois Department of Transportation at 2300 South Dirksen Parkway, Room 205, Springfield, Illinois, 62764. The Department shall send a copy of each bill received to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted to the Department and Commission no later than twenty-four (24) months from the date of Commission Order subsequent to this agreement. Authorization for reimbursement from the Grade Crossing Protection Fund shall expire twelve (12) months after the completion date specified in the Order. The Department shall, at the end of the 24<sup>th</sup> month from the Commission's Order date, de-obligate all residual funds accountable for installation costs for this project.

The Company shall at six (6) month intervals from the date of Commission's Order subsequent to this Agreement, submit written reports to the Director of Processing and Information, Transportation Division of the Commission, stating the progress it has made toward completion of the work herein required. Each progress report shall include the Commission Order number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number and facsimile number of the Company employee responsible for management of the project.

In Witness Whereof, the parties have caused this agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 23<sup>rd</sup> day of January, 2002.



\_\_\_\_\_  
Michael E. Stead  
Railroad Safety Program Administrator

Attest:



\_\_\_\_\_  
Henry Humphries,  
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 975 concerning improving public safety at the crossing of the CSX Transportation, Inc. track with a public highway known as Hickory Lane (TR-32A) located near Casey, Clark County, Illinois, designated as crossing DOT 546 363D, milepost 106.90A.

Executed by the Township this 28 day of June 2002.

CASEY TOWNSHIP, CLARK COUNTY

By: 

Attest:

\_\_\_\_\_

Illinois Commerce Commission Stipulated Agreement No. 975 concerning improving public safety at the crossing of the CSX Transportation, Inc. track with a public highway known as Hickory Lane (TR-32A) located near Casey, Clark County, Illinois, designated as crossing DOT 546 363D, milepost 106.90A.

Executed by the Company this 21 day of March 2002.

CSX TRANSPORTATION, INC.

By: Dale W Ophardt  
**Dale W. Ophardt**  
Chief Engineer - Design & Construction

Attest:

Rachel E Geiersbach

**RACHEL E. GEIERSBACH**

**Corporate Secretary**

Illinois Commerce Commission Stipulated Agreement No. 975 concerning improving public safety at the crossing of the CSX Transportation, Inc. track with a public highway known as Hickory Lane (TR-32A) located near Casey, Clark County, Illinois, designated as crossing DOT 546 363D, milepost 106.90A.

Executed by the Department this 9<sup>th</sup> day of May 2002.

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

By: James L. Carter  
Director of Highways

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line CSX Milepost 106.90A Inventory # 546 363D  
City (N) Casey Street Hickory Lane County Clark  
(TR-32A)  
Jurisdiction Twp. Urban    Rural X Commercial X Residential     
Street Surface Oil/Chip Width 18' Condition Fair  
Angle 80° Tracks Tangent Yes Degree of Curve -- Superelevation -  
Depth of Cut ----- Height of Fill -----

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>asphalt</u>	<u>27'</u>	<u>Fair</u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
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Intersecting Roads 100'    Pvt. Ent.    200'    Pvt. Ent.     
Traffic Control Devices Present None  
ADT 500 Speed 30mph Statewide Yes  
Schoolbuses Poss. Hazardous Materials Poss. Other     
Rail Traffic: Ft. 30 @ 60 mph Pass. -- @ -- mph Switch --  
Simultaneous Movements No Daylight and Dark Yes  
Present Protection AFLS  
    
Advance Warning Signs Yes Pavement Marking No



## Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	N/A		N/A	
NW	N/A		N/A	
SE	N/A		N/A	
SW	N/A		N/A	

### Approach Grades

North	<u>Meets</u>	'	<u>92</u>	%	<u>Ill.</u>	'	<u>Adm.</u>	%	<u>Code</u>	'	<u>1535</u>	%
South	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%

Comments: \_\_\_\_\_

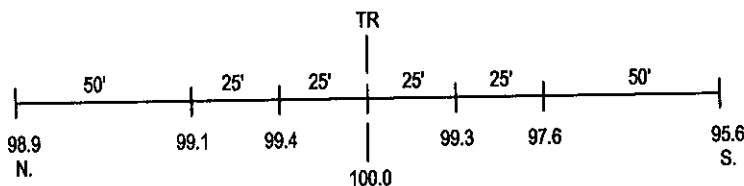
Standard L, Reflect X Buck  
15.3' - cl of tr, 7.0' cop

HICKORY

80°

18'

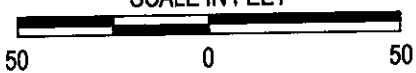
LINE



ROAD PROFILE



SCALE IN FEET



③ Photo Location

Crossing #: 546363D  
Location: Clark Co., City of Casey (N)  
Lat/Long: 39°18'17" / 87°58'22"  
Railroad: CSX  
Street: Hickory Lane  
Railroad Milepost: 106.90  
Crossing Protection: Train Activated Devices

Estimate No. 101658  
**CSX Transportation**

Logue Rd. (TR32A) Install FLSG@Bell IL 2001043, IL 2001044 IL2001044 need to  
be designed and constructed together.  
Casey, IL

DOT: 546363D

OP: IL0080

CSX Project: IL2001043

**Summary**

Material .....	\$ 52,807
Sales Tax .....	\$ 3,168
Labor:	
Construction Labor (63 man-days).....	\$ 12,978
Shop Labor (5 man-days).....	\$ 800
Subsistence (63 man-days).....	\$ 7,686
Railroad Engineering, Preliminary .....	\$ 12,891
Railroad Engineering, Construction .....	\$ 1,947
Additives to Construction Labor .....	\$ 16,387
Additives to Shop Labor .....	\$ 1,153
Additives to Engineering .....	\$ 12,738
Equipment Expenses (12 work days).....	\$ 7,200
Waste Management (10 work days).....	\$ 120
Contract Engineering .....	\$ 4,550
Freight .....	\$ 1,200
AC Power Service .....	\$ 2,500
Salvage .....	\$ 0
Contract Engineering Cat 1B .....	\$ 2,650
<b>TOTAL ESTIMATE COST .....</b>	<b>\$ 140,775</b>

Date: 03/18/2002  
Estimated By: Don Norman

NOTE: This estimate should be considered void one year from date of estimate.

ok  
AT  
5/6/02

Shop Material List for CSX Project: IL2001043 (Effective: 03/18/2002)  
INSTALL FLASHING LIGHTS WITH GATES  
TR32A (LOGUE RD./HICKORY LANE), IL - QS 106.90

Catalog Num	Cond	Unit Price	Qty	Cost	Description
020-0003386	1	6781.00	1	6781.00	HOUSE 6X6L ALUM INCLUDES 5 SHELF, FARADAY CLOSET, 240V
020-0017120	1	13.41	3	40.23	BLOCK TERMINAL 12 WAY SINGLE STRIP AAR DWG 10544 MP 14.1.6
020-0017209	1	224.68	1	224.68	TRANSFORMER 010520-20X LIGHT 300 VA MOD SLT-20 SAFETRAN
020-0017311	1	22.89	4	91.56	RESISTOR 029602-52X ADJ 0.035 TO 1.50 OHMS SAFETRAN PL K326
020-0021965	1	9.05	1	9.05	EXTRACTOR DWG 59688-4
020-0022651	1	48.76	5	243.80	TERMINAL GRS CAT P3-308 REF PLUGBOARD KIT TYPE B1 OR ST1
020-0025595	1	16.94	1	16.94	RELAY ASSEMBLY WITH 22 EACH WRENCH DWG 55393-3 GR1 "E"
020-0053390	1	421.96	1	421.96	TERMINAL POST NUT GRS CAT CHARGER BATTERY NRS 12/20 (DO NOT ORDER FOR 120V AC, USE
020-0660075	1	355.10	1	355.10	ARRESTER GE 9L10KAA212 FOR APPLICATION ON 120 VOLT
020-0750090	1	4.99	3	14.97	NUT INSULATED SAFETRAN 023408-1X 1-3/16" FOR 120V AC
020-0770060	1	10.76	31	333.56	ARRESTER US&S N451552-0201 TRACK SERIES RED LABEL USGA
020-1940055	1	5.42	1	5.42	CONTAINER CIRCUIT PRINT 24" SCHEDULE 20 4" PVC PIPE WITH
020-2531729	1	529.39	1	529.39	ARRESTER HARMON 250675-000 TWO TRACK MDSA-2 FOR PMD-1,
020-2552656	1	13914.39	1	13914.39	PREDICTOR 250729-4400 HXP-3R2 W/IDK AND 8KHZ RSI HARMON
020-3430110	1	270.00	1	270.00	RELAY SAFETRAN 400004 4FB-2F-1B NEUTRAL 500 OHMS
020-3430115	1	518.40	1	518.40	RELAY SAFETRAN 400005 4FB HD-2FB NEUTRAL 500 OHMS CSX
020-3430135	1	399.60	1	399.60	RELAY SAFETRAN 400213 2FB SLOW RELEASE 460 OHMS CSX REF
020-3430170	1	426.86	1	426.86	RELAY SAFETRAN 400800-CSX 6FB HD POWER TRANSFER 100/100
020-3430185	1	378.00	1	378.00	RELAY SAFETRAN 400700-X 4FB FLASHER 60 OHMS COMPLETE WITH
020-4200100	1	5.93	1	5.93	CONNECTOR BUS 1" CENTERS 1/2" X 36" 18 GAGE PUNCHED 1/4" X
020-4200340	1	1.04	35	36.40	LINK TEST OFFSET LINK 1IN CENTERS INSULATED W/SPECIAL
020-4200360	1	4.47	9	40.23	LINK INSUL TEST 2-3/8" CENTERS CENTER CONTROL TEST
020-8000067	1	14.21	2	28.42	LOCK AMERICAN H10KA CSX SIGNAL PADLOCK W/BK CHROME
020-8100034	1	2421.90	1	2421.90	RECORDER EVENT HARMON HAWK ASSEMBLY COMPLETE WITH
Total Cost: \$				27507.79	✓

Field Material List for CSX Project: IL2001043 (Effective: 03/18/2002)  
INSTALL FLASHING LIGHTS WITH GATES  
TR32A (LOGUE RD./HICKORY LANE), IL - QS 106.90

Catalog Num	Cond	Unit Price	Qty	Cost	Description
020-0013686	1	31.86	6	191.16	BOOTLEG KIT CSX RAIL CONN W/15 FT 3/16 IN BDSTRAND 6/64
020-0013906	1	4.31	350	1508.50	CABLE UG 16 COND 6 NO 6 AWG SOLID C 10 NO 14 AWG SOLID C
020-0017605	1	0.19	50	9.50	WIRE CASE 10 AWG FLEX CSX SPEC SS796 OKONITE
020-0017630	1	0.10	50	5.00	WIRE CASE NO 16 AWG FLEX CSX SPEC SS796 FURN 1000 FT SPOOL
020-0025145	1	277.29	5	1386.45	SHUNT ENCLOSURE INTERRAIL P/N IRS-SE8 WAYSIDE MOUNT
020-0052475	1	3.30	4	13.20	ARM CCSX2719S SHORT EXTENSION 7-1/4" LG ALUMINUM ALSO
020-0052920	1	0.44	5	2.20	BAND C-204 BAND IT 1/2" SS BURCO ORDER BY THE FT
020-0052921	1	0.31	2	0.62	BUCKLE C-254 BAND IT 1/2 IN SS BURCO
020-0052925	1	0.63	5	3.15	BAND C-206 BAND IT 3/4 IN STAINLESS STEEL FURNISHED IN
020-0053158	1	0.43	2	0.86	BUCKLE C-256 BAND-IT 3/4 INCH STAINLESS STEEL 100 PER BOX
020-0053245	1	1.08	150	162.00	CABLE UG 3 COND NO 9 AWG SOLID C CSX SPEC SS796 SHOW
020-0054075	1	1523.32	2	3046.64	GATE SK-1000-C KEEPER NORMAL MOVEMENT COMPLETE WITH BUMPER
020-0056474	1	4575.83	2	9151.66	SIGNAL 0220 HWY CROSSING GATE ASSY DWG SS222 INCLS 18
020-0057001	1	0.43	50	21.50	TAG SLEEVE CRITCHLEY HS064WE1TS038 THERMAL
020-0057275	1	0.67	700	469.00	WIRE UG TRK TWIST PAIR NO 6 AWG SOL C NEOPRENE JKT CSX
020-1040302	1	139.04	13	1807.52	BATTERY GNB 50A07 ABSOLTE IIP 160AH LA MAINTENANCE FREE
020-1040304	1	167.48	6	1004.88	BATTERY GNB 50A11 ABSOLTE IIP 265AH LA MAINTENANCE FREE
020-1040550	1	37.89	3	113.67	TRAY PVC BATT FIBER CO 82687-3-P 12" WIDTH 38"
020-1040660	1	7.85	1	7.85	NUMBERS EXIDE 802360 CELL 1 TO 12 1" FOR BATTERIES 1 SET
020-1360014	1	691.79	1	691.79	PACKAGE FOREMANS CARE FOR ALUMINUM TYPICAL BOM FOR USE
020-1360016	1	15.39	1	15.39	PACKAGE SAFETY & SECURMENT WITH 1 EA CAUTION TAG 1 EA
020-2060060	1	372.78	2	745.56	FOUNDATION ASSY 5'-7" HT TYPE S-2 SECTIONAL PRECAST
020-2531285	1	250.88	2	501.76	SHUNT HARMON 250250-326 NBS-1-10 326HZ 10 FT LEADS
020-2541306	1	542.38	3	1627.14	SHUNT HARMON 250849-001 FSS-1B FREQUENCY SELECTEDABLE
020-2541320	1	80.66	2	161.32	INDUCTOR 227032-005 1500 DUMMY LOAD HARMON
020-2541325	1	83.65	1	83.65	INDUCTOR 227032-010 2750 DUMMY LOAD HARMON
020-3901895	1	81.00	2	162.00	TIP FLEX HWY CROSSING GATE 24 IN LONG RED & WHITE STRIPES
020-3920200	1	185.88	1	185.88	BELL GCWD ELECTRONIC 4" OR 5" MAST 8 TO 13 VOLTS DC GSI PN
020-3930010	1	3.60	2	7.20	KIT GATE ARM WARNING STICKER KIT INCLUDES 1-EA 5"X3"

Field Material List for CSX Project: IL2001043 (Effective: 03/18/2002)  
INSTALL FLASHING LIGHTS WITH GATES  
TR32A (LOGUE RD./HICKORY LANE), IL - QS 106.90

Catalog Num	Cond	Unit Price	Qty	Cost	Description
020-4200340	1	1.04	35	36.40	LINK TEST OFFSET LINK 1IN
020-4200900	1	0.20	6	1.20	CENTERS INSULATED W/SPECIAL CONNECTOR SHEATHING AMP
020-9999991	1	100.00	1	100.00	329860 FOR NO. 14 WIRE BLOCKING AND BRACING FOR
360-0006100	1	33.44	1	33.44	PROJECTS BURCO DIST STOOL STEP WOOD 14"X 20"
360-0800145	1	4.39	1	4.39	SIGNAL MAINTAINERS CSXT BROOM WAREHOUSE CORN HVY DUTY
470-0060316	1	17.07	1	17.07	ID300 CLEANER SEALANT HILTI CP120-P2 DIS- PENSER 17 OZ
Total Cost: \$				23279.55	

Consumables List for CSX Project: IL2001043 (Effective: 03/18/2002)  
INSTALL FLASHING LIGHTS WITH GATES  
TR32A (LOGUE RD./HICKORY LANE), IL - QS 106.90

Catalog Num	Cond	Unit Price	Qty	Cost Description
N/A		200.00	2	400.00 FILL MATERIAL
N/A		800.00	1	800.00 GRAVEL
020-0017605	1	0.19	200	38.00 WIRE CASE 10 AWG FLEX CSX SPEC SS796 OKONITE
020-0017607	1	0.49	200	98.00 WIRE CASE TW PR NO 10 AWG FLEX CSX SPEC SS796 TWIST 2
020-0017630	1	0.10	200	20.00 WIRE CASE NO 16 AWG FLEX CSX SPEC SS796 FURN 1000 FT SPOOL
020-0017636	1	1.79	50	89.50 WIRE SIGNAL DEL 018 NO 6 COPPER TWISTED PAIR FOR
020-0028610	1	0.49	100	49.00 TERMINAL RING AMP 35628 YELLOW PLASTI-BOND HVY DUTY
020-0056762	1	0.56	100	56.00 TAG SLEEVE CRITCHLEY HK095WEINF038B 550/ROLL
020-0056763	1	0.26	100	26.00 TAG (DO NOT ORDER USE 020.0057001.1) SLEEVE
020-0056764	1	0.35	20	7.00 TAG SLEEVE 1/2 X 1-1/2" LG WHITE RAYCHEM PERMARK
020-0056766	1	0.23	15	3.45 TAG SHELF CRITCHLEY HPC04WF1050B 1100/PKG (DO NOT
020-4251190	1	0.56	100	56.00 TERMINAL RING AMP 35627 BLACK PLASTI-BOND WIRE SIZE 10-12
250-0010780	1	6.05	60	363.00 CONDUIT GALV RIGID 4"STL 10 LENGTH W/TAPERED THREADS ON
250-6850686	1	2.30	3	6.90 TAPE ELECTRIC 3/4IN 3M33 SIG PROJEC 3M SCOTCH BRAND 33
250-6880660	1	0.19	15	2.85 TERMINAL AMP 33465 6 STUD 1/4"
250-6880680	1	0.19	10	1.90 TERMINAL AMP 33467 6 STUD 3/8 BOWMAN 23295 3M 15-38-W 100
450-0019212	1	0.02	100	2.00 SCREW 10 X 1" SHT METAL PAN HD TYPE A COARSE THREAD
Total Cost: \$				2019.60 ✓

# SUPPLEMENTAL MAN DAY CALCULATION WORKSHEET

EXHIBIT B  
Page 6

CODE	DESCRIPTION	EA	AMOUNT	TOTAL
IVC1	INSTALL 1 TERMINATION SHUNT	3	4.00	12
MISC.	DRILL TRACK & INSTALL TRACK CONNECTION KIT	2	1.25	2.5
	TOTAL HOURS			14.5
	TOTAL MAN DAYS			2



## CSX Transportation

## OP Estimate Labor Report

Logue Rd. (TR32A) Install FLSG@Bell.IL2001043, IL2001044, IL2001044 need to  
be designed and constructed together.  
Casey, IL

Boring Team

Mobilization	4 man days
Installation	6 man days
Team Days	2 days

Setup Labor

Setup Labor	1 man day
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Field Labor

Mobilization	5 man days
Installation	42 man days
Cut-In	5 man days
Team Days	10 days